

AMENDED IN ASSEMBLY APRIL 10, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 654

Introduced by Assembly Member Goldberg

February 19, 2003

An act to add Section 87482.8 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 654, as amended, Goldberg. Community colleges: faculty.

~~(1) Existing~~

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law provides for the employment of faculty as temporary, contract, or regular employees. Existing law requires that a person employed to teach adult or community college classes for not more than 60% of the hours per week of a full-time employee having comparable duties, excluding substitute service, be classified as a temporary employee and not become a contract employee.

This bill would ~~require that, notwithstanding any other provision of law, a contract or temporary faculty member be paid a salary that is prorated based upon what that person would earn if he or she were a full-time employee. The bill would further require that a contract or temporary faculty member receive full employment benefits if he or she serves more than 50% of the hours per week considered a full-time assignment, and receive 50% of full employment benefits if he or she serves less than 50% of the hours per week considered a full-time~~

assignment. The bill would require that a contract or temporary faculty member be permitted to serve at 20% of a full-time assignment or at a level equivalent to the level of service previously earned, whichever is greater.

By imposing additional duties on community college districts, this provision would constitute a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions *express the intent of the Legislature and various policy preferences of the Legislature with respect to part-time community college faculty.*

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~—no. State-mandated local program: ~~yes~~—no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to accomplish
- 2 all of the following:
- 3 (a) To put a limitation on the total number of student hours
- 4 taught by part-time faculty. These part-time faculty members
- 5 should serve less than 25 percent of the full-time equivalent
- 6 students (FTES) at any community college.
- 7 (b) *Decisions regarding the appropriateness of part-time*
- 8 *faculty should be made on the basis of academic and program*
- 9 *needs and not for financial savings.*
- 10 (c) To require that part-time faculty be hired well in advance of
- 11 the beginning of instruction, and that only in the event of genuine
- 12 emergencies should instructors be hired on shorter notice than one
- 13 month before the beginning of instruction.
- 14 ~~(e)~~
- 15 (d) To prohibit part-time faculty from being used to provide
- 16 teaching or professional services formerly performed by full-time

1 faculty. The conversion of full-time positions into several
2 part-time positions needs to be discontinued.

3 ~~(d)~~

4 (e) To allow part-time faculty the opportunity to participate in
5 the full range of professional responsibilities, including student
6 advisement, committee work, and departmental and campuswide
7 faculty meetings, and to pay them for this involvement. If a
8 part-time faculty member prepares a course that is canceled for any
9 reason, that faculty member should be compensated for that
10 preparation.

11 ~~(e)~~

12 (f) To require that salaries for part-time faculty be
13 proportionate to the salaries paid to full-time faculty with similar
14 qualifications who do the same work. ~~Part-time faculty who work~~
15 ~~at less than 50 percent of the average full-time teaching load~~
16 ~~should receive a minimum of 50 percent of the benefits received~~
17 ~~by full-time faculty. Part-time faculty who perform services for 50~~
18 ~~percent or more of the full-time teaching load should receive full~~
19 ~~benefits.~~

20 ~~SEC. 2. Section 87482.8 is added to the Education Code, to~~
21 ~~read:~~

22 *SEC. 2. Section 87482.8 is added to the Education Code, to*
23 *read:*

24 87482.8. *Whenever possible:*

25 (a) *Part-time faculty should be informed of assignments at*
26 *least six weeks in advance.*

27 (b) *Part-time faculty should be paid for the first week of an*
28 *assignment when class is cancelled less than two weeks before the*
29 *beginning of a semester. If a class meets more than once per week,*
30 *part-time faculty should be paid for all classes that were scheduled*
31 *for that week.*

32 (c) *The names of part-time faculty should be listed in the*
33 *schedule of classes rather than just described as "staff."*

34 (d) *Part-time faculty should be considered to be an integral*
35 *part of their departments and given all the rights normally afforded*
36 *to full-time faculty in the areas of book selection, participation in*
37 *department activities, and the use of college resources, including,*
38 *but not necessarily limited to, telephones, copy machines,*
39 *supplies, office space, mail boxes, clerical staff, library, and*
40 *professional development.*

1 ~~87482.8.— Notwithstanding any other provision of law:~~

2 ~~(a) A contract or temporary faculty member within the~~
3 ~~meaning of Section 87482.5 shall be paid a salary that is the pro~~
4 ~~rata share of the salary he or she would earn if that person were a~~
5 ~~full-time faculty member who had served a comparable number of~~
6 ~~academic years.~~

7 ~~(b) A contract or temporary faculty member within the~~
8 ~~meaning of Section 87482.5 shall receive the full employment~~
9 ~~benefits provided or made available to full-time faculty if he or she~~
10 ~~serves more than 50 percent of the hours per week considered a~~
11 ~~full-time assignment, and shall receive 50 percent of full~~
12 ~~employment benefits if he or she serves less than 50 percent of the~~
13 ~~hours per week considered a full-time assignment.~~

14 ~~(c) A contract or temporary faculty member within the~~
15 ~~meaning of Section 87482.5 shall be permitted to serve at 20~~
16 ~~percent of a full-time assignment or at a level equivalent to the~~
17 ~~level of service earned pursuant to Section 87482.5, whichever is~~
18 ~~greater.~~

19 ~~SEC. 3.— Notwithstanding Section 17610 of the Government~~
20 ~~Code, if the Commission on State Mandates determines that this~~
21 ~~act contains costs mandated by the state, reimbursement to local~~
22 ~~agencies and school districts for those costs shall be made pursuant~~
23 ~~to Part 7 (commencing with Section 17500) of Division 4 of Title~~
24 ~~2 of the Government Code. If the statewide cost of the claim for~~
25 ~~reimbursement does not exceed one million dollars (\$1,000,000),~~
26 ~~reimbursement shall be made from the State Mandates Claims~~
27 ~~Fund.~~